

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Case No.:	18-21827-GLT
	:	Chapter:	13
Paul R Castner	:		
	:		
	:	Date:	5/31/2023
Debtor(s).	:	Time:	09:00

PROCEEDING MEMO

MATTER: #102 - Continued Trustee's Certificate of Default Requesting Dismissal of Case
#104 - Response filed by Debtor
#106 - Proposal to Cure Plan Defaults
#112 - Documentary proof of Payment made on 3/27/2023 in the amount of \$16,000
#116 - Affidavit Regarding Source of Funds

[# 110 Conciliation hearing held. Contested Confirmation Hearing requested - Lack of payments. From 3/2/2023 conciliation conference. No payments since May 2022]

APPEARANCES:

Debtor:	Louis R. Pomerico [Paul Castner]
Trustee:	Owen Katz

NOTES: [9:15]

Court: Since last hearing, nothing on the docket suggesting that the funds were received by the trustee. No stipulation either.

Katz: Check was not received. Attempted to track the check, and it was somewhere in Texas at that point. Still no payment since August 2022. Currently owes \$21,555.

Castner: Has canceled the check and will send a new check to a new updated address.

Court: Check was sent in March, concerned that it has taken this long. Need to send ASAP, or inclined to dismiss case.

OUTCOME:

1) For the reasons stated on the record, the *Trustee's Certificate of Default Requesting Dismissal of Case* [Dkt. No. 102] is GRANTED. The case is DISMISSED without prejudice. Should the Debtor remit sufficient funds to cure the existing plan arrears of \$21,155 within 14 days of this Order, the Court may reconsider this Order upon submission of a suitable motion accompanied by proof of receipt of funds by the chapter 13 trustee. [Text order; DB to also enter form dismissal].

DATED: 5/31/2023